



CITY OF ST. MARYS
418 OSBORNE STREET
ST. MARYS, GEORGIA 31558

MINUTES for PUBLIC HEARING and REGULAR MEETING

St. Marys, Planning Commission
Tuesday, July 23, 2013
City Hall Council Chambers

PUBLIC HEARING

The meeting was called to order at 5:30PM.

There was a quorum of members present for the meeting. The following committee members were present: Doug Cooper, Charlotte Bartzack, Larry Johnson, Arlene Norris, and Royal Weaver.

Roger Weaver and Michele Wood represented the Planning Department.

The following items were heard in Public Session at a Public Hearing held Tuesday, July 23, 2013 at 5:30 PM at City Hall Council Chambers, 418 Osborne Street, St. Marys, GA 31558.

1. **MINOR SUBDIVISION:** Bertram Rhyne, 35 Darkstar Way, Fairview, NC 28730 is requesting a two lot minor subdivision locate in Phase III of Moeckel Place. The property is zoned R-1, Tax Parcel 135-094.

Terry Stover presented the Minor Subdivision request to the Planning Commission. There were no questions or comments from the public.

2. **MINOR SUBDIVISION:** W.H. Gross Company, Kingsland, GA 31554 is requesting a two lot minor subdivision at the Shops at Osprey Cove located off of St. Marys Road & Isles of St. Marys Way. The property is zoned PD C-2, Tax Parcel 122A-001D.

Dean Privett represented the applicant to the Planning Commission. The PC questioned if there was plans for a building on that parcel. Roger Weaver, Planning Director, stated this is the location for the construction of Gilman Office Products. There were no comments or questions from the public.

3. **VARIANCE:** ASM Investments, 3435 Valley Road, Atlanta, GA 30305 is requesting a side yard variance on lot one of 2'8" (15' Required, 12.4' Requested) for a property submitted for a minor subdivision located at 303 Weed Street. The property is zoned R-1, Tax Parcel S40-02-009.

Dean Privett represented the applicant to the Planning Commission. Roger Weaver stated items 3, 4 and 5 are all regarding one property and the PC may want to review them as one. The following individuals requested to speak to the Planning Commission regarding this request.

- Calvin Beaver, 9033 E Latimer Road, Jacksonville, FL owns 205 Seagrove Street. Mr. Beaver stated he was strictly against the approval of the requests. He stated the smaller lots would mean smaller, cheaper structures which could deter interest in the sale of his property.
- George Beaver, 204 Bartlett Street, stated he was against the approval of the requests. He expressed his concerns of reducing setbacks affecting the uniqueness and quaintness of our historic district. He stated the applicant had already done exterior work to the structure, driveway, added a fence and removed a structure without submitting COA requests for HPC approval.

- David Pelly, 305 W. Weed Street – Mr. Pelly expressed his concerns with changes being made to the structure not being completed and ongoing issues with the septic tank on the property. Mr. Pelly stated he was totally opposed to the approval of this request.
- Kay Westberry, HPC Chair - Ms. Westberry informed the HPC the property is located within the historic district and any new construction would have to conform to the character of the surrounding neighborhood for HPC approval. The HPC has concerns in regard to the future use of the additional lot. She stated the owner has shown total disregard to the property being in the historic district and seeking the required approvals necessary for work done in the historic district. Ms. Westberry requested that the request come to the HPC for approval prior to the Planning Commission making a decision. Larry Johnson, chair of the Planning Commission, asked Roger Weaver if there was a jurisdictional problem. Roger Weaver stated there was not. The Planning Commission has jurisdiction. Roger Weaver stated with the property being in the historic district, the HPC wanted to advise the Planning Commission of the possible effect zoning decisions have on the Historic District.

4. **VARIANCE:** ASM Investments, 3435 Valley Road, Atlanta, GA 30305 is requesting reduction of the minimum lot size of 10,000 SF to 7590 SF (Lot 1) & 7600 SF (Lot 2) for a property submitted for a minor subdivision located at 303 Weed Street. The property is zoned R-1, Tax Parcel S40-02-009.

Included with notes under Request #3.

5. **MINOR SUBDIVISION:** ASM Investments, 3435 Valley Road, Atlanta, GA 30305 is requesting a two lot minor subdivision for Tax Parcel S40-02-009 located at 303 Weed Street on the corner of Weed & Seagrove Street. The property is zoned R-1.

Included with notes under Request #3.

6. **MINOR SUBDIVISION:** The City of St. Marys, 418 Osborne Street, St. Marys, GA 31558 is requesting a two lot minor subdivision for the purpose of submitting an updated permit to DNR at 100 Ready Street. The property is zoned C-1, Tax Parcel S41-12-001.

Roger Weaver presented the request to the Planning Commission on behalf of the City explaining this was part of the requirements to update the DNR permit allowing the property in front to forever be accessed by the City. Doug Cooper asked whether this could be changed if a developer wanted to purchase the property and needed to include this as part of their proposed plan. Mr. Weaver stated if the City was in agreement to the proposed plan, the developer would be required to pay back the grants, reapply with DNR with what they want and purchase the property from the City. An easement would be retained to secure access to the dock.

Motion to Adjourn Public Hearing - Motion was made by Charlotte Bartzack to adjourn the Public Hearing: Second by Arleen Norris. Voting was unanimous in favor of the motion.

REGULAR MEETING

Approval of Minutes of June 25, 2013 Planning Commission Meeting— Motion was made by Charlotte Bartzack to approve the minutes as submitted; Second by Royal Weaver. Doug Cooper and Larry Johnson abstained from the vote due to being absent from the June 25, 2013 meeting. Voting was unanimous in favor of the motion.

Old Business

1. **SIGNAGE IN THE HISTORIC DISTRICT:** – Kay Westberry shared with the two Planning Commission members that were absent from the June 25, 2013 Planning Commission Meeting, that the HPC had voted to discuss with the Planning Commission the possibility of removing signage in the historic district from the Zoning Ordinance to be located in the HPC Ordinance and granting the HPC responsibility for signage within the Historic District. The Planning Commission had voted at the June meeting to have Roger Weaver prepare a draft of the proposed changes within the zoning ordinance for the Planning Commission to review at the July meeting. Mr. Weaver stated he did not have the draft ready at this time to present to the Planning Commission and would be working on it to present at a future meeting.

New Business

1. **MINOR SUBDIVISION:** Bertram Rhyne, 35 Darkstar Way, Fairview, NC 28730 is requesting a two lot minor subdivision locate in Phase III of Moeckel Place. The property is zoned R-1, Tax Parcel 135-094.

Charlotte Bartzack made a motion to approve the request for City Council approval as submitted; Second by Doug Cooper. Voting was unanimous in favor of the motion.

2. **MINOR SUBDIVISION:** W.H. Gross Company, Kingsland, GA 31554 is requesting a two lot minor subdivision at the Shops at Osprey Cove located off of St. Marys Road & Isles of St. Marys Way. The property is zoned PD C-2, Tax Parcel 122A-001D.

Doug Cooper made a motion to approve the request for City Council approval as submitted; second by Royal Weaver. Voting was unanimous in favor of the motion

3. **VARIANCE:** ASM Investments, 3435 Valley Road, Atlanta, GA 30305 is requesting a side yard variance on lot one of 2'8" (15' Required, 12.4' Requested) for a property submitted for a minor subdivision located at 303 Weed Street. The property is zoned R-1, Tax Parcel S40-02-009.

The variance was no longer required due to the denial of the applicant's Minor Subdivision.

4. **VARIANCE:** ASM Investments, 3435 Valley Road, Atlanta, GA 30305 is requesting reduction of the minimum lot size of 10,000 SF to 7590 SF (Lot 1) & 7600 SF (Lot 2) for a property submitted for a minor subdivision located at 303 Weed Street. The property is zoned R-1, Tax Parcel S40-02-009.

The variance was no longer required due to the denial of the applicant's Minor Subdivision.

5. **MINOR SUBDIVISION:** ASM Investments, 3435 Valley Road, Atlanta, GA 30305 is requesting a two lot minor subdivision for Tax Parcel S40-02-009 located at 303 Weed Street on the corner of Weed & Seagrove Street. The property is zoned R-1.

Charlotte Bartzack made a motion to deny the request; second by Arlene Norris. Royal Weaver stated that even if the property owner decided to move the property line over to remove the need for a variance for the reduction of the 75' frontage requirement, he would still not be in favor to approve the request. Royal Weaver stated the City's goal is to have 10,000 square foot lots; even if there are other smaller lots, Royal stated he still doesn't think the City should approve the subdivision just so the applicant can sell another lot. Charlotte Bartzack and Doug Cooper agreed. Voting was unanimous in favor of the motion.

6. **MINOR SUBDIVISION:** The City of St. Marys, 418 Osborne Street, St. Marys, GA 31558 is requesting a two lot minor subdivision for the purpose of submitting an updated permit to DNR at 100 Ready Street. The property is zoned C-1, Tax Parcel S41-12-001.

Royal Weaver made a motion to approve the request as submitted; second by Arleen Norris. Voting was unanimous in favor of the motion.

Granting Audience to the Public: - No Comments.

Discussion: None

Motion to Adjourn Regular Meeting – *Motion was made by Royal Weaver to adjourn the meeting; Second by Doug Cooper. Voting was unanimous in favor of the motion. The meeting adjourned at 6:35 PM.*